

LOUISVILLE METRO COUNCIL COMMITTEE MINUTES

Government Accountability and Oversight

Wednesday, April 14, 2010

4:04 P.M.

Third Floor, City Hall

Present: Chairman: CM Ward-Pugh
Members: CM King, CM Kramer, CM Downard and CM Henderson
Absent: CM Tandy & CM Fleming (excused absences)

Chairwoman Ward-Pugh began the meeting by introducing the members of the committee that were present. A quorum was established.

Special Items For Discussion

- 1- [Update on LMPD Court Appearances by Officers - Lt. Col. Vince Robison, Assistant Chief of Police and Chief of Staff](#)

CW Ward-Pugh offered a partnership towards possible solutions and outstanding issues about the topic of Police Attendance to Court and Issuance of Subpoenas. Her opening comments were:

"On April 5, 2010, an article titled *Metro Police admit lax watch on no-shows, but say monitoring has improved* was published in the Courier-Journal. The same subject was reported on in March 2009 in three different articles. In spring 2009, the Louisville Forum had Chief White at their meeting to discuss this issue. The April 5, 2010 article states, despite Policies put in place last year to monitor and discipline Louisville Police Officers for lax court attendance; hundreds of cases are still being dismissed due to officers failing to appear in court."

CW Ward-Pugh introduced the guest speakers – Bruce McMichael, Criminal Justice Commission; Ingrid Geiser, Assistant County Attorney; and Lt. Col. Vince Robison, Louisville Metro Police Department.

Mr. McMichael gave an overview of the history of the subpoenas system and the Commission's discussed plan for an e-subpoenas system. Ms. Geiser gave an overview of the system from the County Attorney's perspective; issues might include determining who should be subpoenaed, delivery to the appropriate person and the issues encountered on a daily basis with other Court players, such as the Sheriff's Department. Lt. Col. Robison spoke on the issues Police Officers encounter on the subpoenas process, internal policies and the progress made since implementation. The following was highlighted:

- Criminal Justice Commission has existed for about 43 years
 - Involved with Criminal Justice and Public Protection Planning, Coordination and Facilitation
 - Commission also serves as the Homeland Security grants point of contact
 - Solicits funds from the Federal and State Governments
 - Receives the grant
 - Provide oversight and accountability on how grant funds are spent
- Subpoena issue impacts more than one Agency – viewed from a systemic perspective
 - Bring the affected agencies together
 - Consolidated efforts concluded to implement an electronic subpoena system
 - Mirrored from the successful electronic warrant process
 - \$5million Justice Systems Grant Stimulus Grant was available to Metro Louisville
 - \$400,000 was set aside to address the electronic subpoena system
 - Automated process – used State wide
 - Convenience
 - Safety
 - Total system impact
 - RFP received response from Orion Corporation
 - Software package to be prepared
 - Provide instantaneous subpoena preparation and delivery
 - Officers receive on a timely basis; maintain accountability
 - Commanding Officer tracking

- Currently pertains to Louisville Metro Police and Jefferson County Sheriffs
 - Other small cities will be included once funding is made available
 - Citizens are subpoenaed by the County Attorney, Commonwealth Attorney or Public Defender
- County Attorney's Office – Perspective of the Criminal Prosecutors
 - Goals
 - Achieve Justice for the Victims
 - Overall Protection for the Community
 - Need Officers to prosecute those cases as witnessed
 - Concerted effort to cut back on number of subpoenas sent out
 - Reserve the time the officer is in court where testimony is truly needed
 - Working more closely with the Court Liaison Officer
 - Great improvements of Officer Court Attendance
- Louisville Metro Police Department
 - In 2009 workload
 - over 93,000 adult arrests
 - over 4,600 juveniles taken into custody
 - over 102,000 citations were issued
 - Court Liaison Office processed over 80,000 subpoenas in 2009
 - Improvements made
 - June 2009 Standard Operating Procedure was re-written
 - Governs Court Attendance
 - Sought and Received an agreement with Jefferson County Attorney's Office to limit first call subpoenas
 - Still receiving first call subpoenas for
 - Felonies
 - DUI's involving accident
 - Domestic Violence cases
 - Accidents with no insurance
 - December 2009
 - Monthly audits
 - Communication increased with partners in the court system
 - February 2010
 - Developed daily audits of court attendance
 - Violation of the Policy
 - Officer generates letter
 - Discipline results
 - Developing audit processes for dismissed felony cases
 - Division Commanders – Officers do a report

The committee discussed:

- Possible plans for receiving more funds towards the e-subpoenas system
- Comparison to other cities and their systems
- Coordination efforts in keeping officers on streets
- Reasons/Scheduling conflicts for officers not appearing in court
- Systemic issue versus Officer Issue
- Public Perception
- Continuation efforts on increasing improvements and Metro Council partner on those efforts

The committee concluded by requesting return of the guests in approximately six months to report on the upstart/implementation of the e-subpoenas system.

There were five information items available to the members of the committee. (Attached)

Without objection the Meeting adjourned at 5:15 P.M.
KLP